

HOME LEAVE PRIOR TO PCS HEADQUARTERS

PROBLEM: 1. Prior to 18 March 1952 there was no question but that an individual who had completed a two-year assignment overseas was entitled to home leave regardless of his subsequent assignment. However, effective 18 March 1952, the FSR (Paragraph 452.2) were amended to include the following: "c. Home leave may not be granted except when it is planned that the employee will return to a post of duty abroad, either immediately or upon completion of an assignment in the United States".

2. A decision concerning the applicability of this change to CIA was requested from the Office of the General Counsel who, in Paragraph 7 of his decision, dated 6 November 1952, stated that: ". . . there is no legal objection to the payment . . . where it can be reasonably ascertained that the individual concerned has demonstrated his willingness to accept future overseas assignments when the operations of this agency may require." (See Tab F-1).

DISCUSSION: In view of the regulation and decision cited above, it is necessary to establish that an employee is available and willing to accept future overseas assignment and that operations of the Agency may require it as a pre-requisite to authorizing reimbursement of travel expenses in connection with home leave.

The question of availability and acceptability of an employee for future assignment as well as potential needs of the Agency for his services are, of course, for resolving as between the employee and his administrative supervisor. It appears only logical then, that the determination necessary to the authorizing of reimbursement for travel expense in connection with home leave, be made by the employee's approving officer and that such determination be made a matter of record in the travel order for Agency administrative and audit purpose by such office.